

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

SHEET METAL WORKERS LOCAL 19	}	
PENSION FUND, individually and on	}	
behalf of all others similarly situated,	}	
	}	
Plaintiffs,	}	
	}	
v.	}	Case No.: 2:20-cv-00856-RDP
	}	
PROASSURANCE CORPORATION, et	}	
al.,	}	
	}	
Defendants.	}	

ORDER APPROVING PLAN OF ALLOCATION

This matter is before the court on Lead Plaintiffs Central Laborers’ Pension Fund and Plymouth County Retirement Association (“Lead Plaintiffs” or “Class Representatives”) Motion for Final Approval of Class Action Settlement and Approval of Plan of Allocation (“Final Approval Motion”) (Doc. # 165) set forth in the Stipulation of Settlement dated June 22, 2023 (“the Settlement Agreement”) (Doc. # 157).

On August 25, 2023, this court granted preliminary approval to the proposed class action settlement set forth in the Settlement Agreement. (Doc. # 162). The court also approved the procedure for giving Class Notice to the members of the Class and set a Final Approval Hearing to take place on January 17, 2024. (*Id.*). The court finds that proper and adequate notice was given to the Class as required by the court’s Order.

The court has reviewed the papers filed in support of the Final Approval Motion, including the Settlement Agreement and exhibits thereto, memoranda and arguments submitted on behalf of the Class, and supporting affidavits. (Docs. # 165, 166, 169).

On January 17, 2024, after notice, the court held a Final Approval Hearing to consider: (1) whether the terms and conditions of the Settlement Agreement are fair, reasonable, and adequate; (2) whether a judgment should be entered dismissing the Class Members' Released Claims on the merits and with prejudice; and (3) whether and in what amount to award attorneys' fees and expenses to Class Counsel.

Based on the papers filed with the court and the presentations made to the court by the Parties and other interested persons at the Final Approval Hearing, the court has determined that notice of the Settlement Hearing substantially in the form approved by the court was mailed to all Settlement Class Members who or which could be identified with reasonable effort, and that a summary notice of the Settlement Hearing substantially in the form approved by the court was published in *The Wall Street Journal* and was transmitted over *Business Wire* pursuant to the specifications of the court. The court has also considered and determined the fairness and reasonableness of the proposed Plan of Allocation.

Therefore, it is hereby **ORDERED** that:

1. This Order incorporates by reference the definitions in the Settlement Agreement, dated June 22, 2023 (Doc. # 157), and all capitalized terms not otherwise defined herein shall have the same meanings as set forth in the Settlement Agreement.

2. The court has jurisdiction to enter this Order and over the subject matter of the Litigation and over all parties to the Litigation, including all Settlement Class Members.


3. Pursuant to and in compliance with the court's August 25, 2023 Memorandum Opinion and Order Preliminarily Approving Settlement and Directing Notice to the Class (Doc. # 162), Rule 23 of the Federal Rules of Civil Procedure, and all other applicable laws and rules, this court hereby finds and concludes that due and adequate notice was directed to persons and entities

who are Settlement Class Members, advising them of the Plan of Allocation and of their right to object thereto, and a full and fair opportunity was accorded to persons and entities who are Settlement Class Members to be heard with respect to the Plan of Allocation. There have been no objections to the Plan of Allocation.

4. The court hereby finds and concludes that the Plan of Allocation for the calculation of the claims to the Settlement that is set forth in the Notice approved by the court on August 25, 2023, and disseminated to Settlement Class Members, provides a fair and reasonable basis upon which to allocate the net settlement proceeds among Settlement Class Members.

5. The court hereby finds and concludes that the Plan of Allocation is, in all respects, fair and reasonable to the Settlement Class. Accordingly, this court hereby **APPROVES** the Plan of Allocation.

DONE and **ORDERED** this January 17, 2024.


R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE